

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

KHALID KHAN,

Plaintiff,

v.

Case No. 16-12285

Hon. Gerald E. Rosen

Magistrate Judge David R. Grand

CITY OF DETROIT and
JOHN DOE POLICE OFFICERS,

Defendants.

**ORDER ADOPTING
MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION**

At a session of said Court, held in
the U.S. Courthouse, Detroit, Michigan
on January 6, 2017

PRESENT: Honorable Gerald E. Rosen
United States District Judge

In a report and recommendation (“R & R”) issued on October 31, 2016, Magistrate Judge David R. Grand recommends that the Court grant the renewed motion to dismiss brought by the Defendant City of Detroit. As explained in the R & R, the Defendant City’s motion challenges only the federal claim of a civil rights conspiracy asserted in Count IV of Plaintiff’s first amended complaint, and does not seek the dismissal of the remaining three counts of the first amended complaint.

No objections have been filed to the Magistrate Judge's R & R, and the deadline for doing so has passed. Having reviewed the R & R, the parties' submissions in support of and in opposition to Defendant's underlying motion to dismiss, and the remainder of the record, the Court concurs in the Magistrate Judge's analysis and adopts the R & R as the opinion of this Court. Accordingly,

NOW, THEREFORE, IT IS HEREBY ORDERED that the Magistrate Judge's October 31, 2016 Report and Recommendation (docket #13) is ADOPTED in its entirety as the opinion of this Court. IT IS FURTHER ORDERED, for the reasons stated in the R & R, that Defendant's September 12, 2016 renewed motion to dismiss (docket #5) is GRANTED, and that Count IV of Plaintiff's first amended complaint is DISMISSED for failure to state a claim upon which relief can be granted.

s/Gerald E. Rosen

United States District Judge

Dated: January 6, 2017

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on January 6, 2017, by electronic and/or ordinary mail.

s/Julie Owens

Case Manager, (313) 234-5135